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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of decision : 28.01.2026

Mantu

..... Petitioner

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Aanand Kumar Maurya, Advocate for petitioner.

Mr. Abhishek Yadav, DAG, Haryana.

AMARJOT BHATTI J. (ORAL)

1. Petitioner – Mantu has filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.44 dated 29.02.2024, under Sections 323, 354-A, 377, 406, 498-A and 34 of IPC, registered at Women Police Station, District Rewari (Annexure P-3) on the basis of non-maintainability of territorial jurisdiction with further prayer for stay of further proceedings during the pendency of present petition.

2. As per facts of the case, complainant/respondent No.2 'B' filed written complaint against her husband Mantu and other members of in-laws family, with the allegations that she got married with Mantu on 01.03.2005. Soon after marriage, she was taunted for bringing less dowry. Her entire jewellery was kept by her mother-in-law. She was ill-treated in the matrimonial home. Her husband used to beat her under the influence of liquor. She has levelled allegations against her father-in-law for inappropriate behaviour. She



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disclosed her father-in-law's conduct to her mother-in-law, who started scolding her. Her mother-in-law and sister-in-law instigated her husband against her. They started raising demand for a luxury car. She was beaten up on 08.06.2023 and thereafter she informed her family members, who came on the next day and tried to make them understand. The accused persons insulted her family members and relatives and started beating them. They returned home. The accused persons lodged a complaint at Modi Nagar Police Station with false allegations. Her family members explained everything to the police and they were allowed to go. She also filed a complaint with the Superintendent of Police, District Rewari on 07.08.2023. Both parties were called and her husband agreed to take her back on 26.09.2023, but he did not bring her back, despite her repeated calls. He finally refused to take her back on 05.10.2023. With these allegations, the present FIR has been registered.

3. The learned counsel representing petitioner argued that out of this wedlock, petitioner is having two children, a son aged 17 years and a daughter aged 18 years, both residing with their father. Respondent No.2/complainant is active on social media. She is uploading her videos etc. on social media platform and leading an adulterous life. The photographs attached with the petition are Annexure P-1 and a CD is Annexure P-2. She has left the matrimonial home multiple times and stayed outside for months. In fact, he is being pressurized to give Rs.20,000/- per month. She does not have a fixed residence, since she is residing in Delhi, Gurugram, Rewari, etc. The petitioner has given details of various cases which are going on between the parties. The copy of application filed under Section 125 Cr.P.C. is Annexure P-4. The statement of complainant dated 12.09.2023 is Annexure P-5 and her affidavit is

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Annexure P-6. The police station at Rewari had no territorial jurisdiction to lodge the FIR. The registration of the FIR and all consequential proceedings thereon are misuse of the process of law. It is the respondent No.2 who is causing harassment to petitioner.

4. In order to appreciate the factual position, status report has been called. As per the status report, preliminary inquiry was conducted. The parties were referred for mediation and finally, the present FIR has been registered against the petitioner under the provisions of Section 406, 498-A, 323 of IPC and the offences under Section 354-A, 377, 506 and Section 34 of IPC were dropped. Petitioner joined the investigation. It is pointed out that on completion of investigation, challan was presented on 15.10.2025, charges were framed and at present petitioner is facing trial before the trial court. The next date fixed in this case is 08.04.2026.

5. I have considered the arguments and have gone through the record carefully. On the one hand, petitioner raised the objection that Women Police Station, Rewari had no jurisdiction to lodge the FIR since she was not residing there and at the same time he has given the specific address of Rewari in memo of parties while filing this petition. He further took the stand that respondent No.2 has no permanent address as she is residing at different places. The FIR is lodged on the written complaint of respondent No.2 where she has given her address of Badshahpur, Tehsil & District Gurugram and permanent resident of Mohalla Company Bagh Rewari, Tehsil & District Rewari. After holding preliminary inquiry, present FIR has been lodged. Therefore, arguments advanced by learned counsel for petitioner disputing the territorial jurisdiction of District Rewari does not hold any ground at this stage.



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6. The contents of petition clearly shows that both the parties have filed number of cases against each other i.e case under the provisions of Section 125 Cr.P.C. for grant of maintenance, case under Domestic Violence Act, case under Guardian and Wards Act, Restitution of Conjugal Rights as detailed in para No.17 of the petition.

7. Aforesaid factual position clearly indicates that matrimonial dispute is going on between the parties, which has resulted into the aforesaid litigation. At present, challan is already presented, charges are also framed and the case is fixed for prosecution evidence. The merits of the case will be decided by the concerned trial court. No specific finding can be given regarding the allegations detailed in the FIR. The petitioner is at liberty to raise his defences before the trial court.

8. In the light of aforesaid factual position, I do not find a fit case for quashing of FIR No.44 dated 29.02.2024, under Sections 323, 354-A, 377, 406, 498-A and 34 of IPC, registered at Women Police Station, District Rewari (Annexure P-3) and the same is accordingly declined.

My above observations are made for the disposal of present petition and it will have no bearing on the merits of the case.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

28.01.2026.*Sunil Devi*

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No